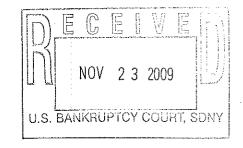
UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION



Plaintiff - Applicant, VS.

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BERNARD L. MADOFF INVESTMENT SECURITIES, LLC

Defendant.

Adv. Pro. No. 08-01789-BRL

SIPC Liquidation OPPOSTION OF TRUSTEE'S DETERMINATION OF CLAIM

LEVA, LLC, located at c/o Charlotte Sonenberg, 4910 Banyan Lane, Tamarac, Florida 33319,

Account No.: 1-CM330-3-0 (hereinafter referred to as "LEVA"), by and through its representative, Audrey S. Levinson, Esq., opposes the Trustee's Determination of Claim, dated October 26, 2009 ("Determination"), specifically opposing the amount of Deposits delineated in Table 1 outlined in the Determination, more specifically the initial deposits made on or about 1996, and request a hearing, should that appear necessary following the review of the attached supporting documents. LEVA alleges that the amount required to become an investor in Madoff, in and about 1995, was a minimum initial deposit of \$1,000,000. The initial return filed in 1996 ("Initial Tax Return") along with the Portfolio Management Account Statement as of 12/31/96 ("1996 Year End Portfolio Account Statement"), attached hereto and incorporated herein as Exhibit A and B respectively, was approximately \$1,031,112, the Trustee's Determination of Claim shows an initial deposit of \$975,000, which sum LEVA respectfully disputes. Since the

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filing of the initial Customer Claim, LEVA has located supplemental documentation and submits 1 Exhibits A and B as supporting documentation of its assertion of the initial deposit with Madoff. 2 In addition LEVA also attaches its 1997 Tax Return, attached hereto and incorporated herein as 3 Exhibit C, which shows total assets of \$1,218,762, demonstrating LEVA's assertion of the initial 4 deposit made with Madoff and subsequent earnings in 1997. 5 6 7 LEVA therefore requests that the allowed claim be recalculated to reflect the revised initial capital contribution. 8 DATED this 16th day of november, 2009. 9 10 Respectfully submitted, LEVA, LLQ 11 12 13 14 Representative for LEVA, LLC New York Bar No.: 1894013 15 7925 Lakeroint Circle Las Vegas, Nevada 89128 16 Tel: 702-445-2005 e-mail: audrey.levinson@hotmail.com 17 18 19 20 21 22 23 24 25

	08-0	01789-cgm						System choiced melent
F	. 10	065	U(). Pa	INIT PAL31 rtnership	Return	of In	_/ me	OMB No. 1545-0099
Forn Depa		ן אווע בסוו פוט	For calendar year 1996, or t	ax year beginning <u>O</u> See separat			<u>2/31</u> , ₁₉ 9	1996
AF	rincipal	business activity	Name of partnership					D Employer identification number
IN	VEST	IMENT	LEVA, LLC					11-3338752 E Date business started
B F	rincipal į	productor service	Number, street, and room or	suite no. If a P.O. box.	see page 10 of	the instructions.		01/01/96
		ITIES	1013 CENTRE					F Total assets (see page 10 of the Instructions)
C E	usiness 674	code number	City or town, state, and ZIP of WILMINGTON		DE .		19805	1,218,762.
G	***************************************		(1) X Initial return	(2) Final	- 1	Change in		1) Amended return
H	Check a	accounting method:		(2) Accru		Other (sp		
		<u></u>	Attach one for each persor	······································	•			4
Ca	ution:	Include only tra	ide or business income	and expenses on	lines 1a thro	ough 22 belov	v. See the instr	uctions for more information.
	10 1	Gross receipts or s	sales , , , , , , , .		1a		77.0	
		Less returns and a	,				****	le .
:			Logal Ball A Res OV					
9	i	_	d (Schedule A, line 8) ract line 2 from line 1c					2
Income	ŧ .		loss) from other partner				_	4
ے			ss) (attach Schedule F (· · · · · · · · · · · · · · · · · · ·	5.
	6	Net gain (loss) fro	m Form 4797, Part II, Iii	ne 20 , . , ,			. • • • • •	6
	7 (Other income (los	s) (attach schedule)	<i></i> .				7
	8]	Fotal income (los	s). Combine lines 3 thro	ough 7				8
ns)	_				- 41- 3	·		
tructions for limitations)		_	es (other than to partner ents to partners					9
r iii			enance					1
ans fe								2 .
ructk							–	3
Inst		Taxes and licenses	S	· · · · · · · · ·		<i>.</i>		5
of the Ins		nterest	quired, attach Form 450	62}	16a			MASO Amay Away
=		• • •	ported on Schedule A and					6c
bad			deduct oil and gas de					7
eßed ees)		Retirement plans, Employee benefit	etc:		• • • • •	• • • • • • •		9
35	19 1	"tithichee neitetti	programs					
Deductions	20 (Other deductions	(attach schedule)	<i></i>				.0
۵	21 7	Fotal deductions.	Add the amounts show	vn in the far right	column for l	ines 9 throug	h 20 2	11
	22 (Ordinanı income l	(loss) from trade or bus	inass activitias S	ubtract line	21 from line !	R	.2
DI.		Under penalties of p	erjury, I declare that I have er	xamined this return, ir	cluding accom	panying schedule	s and statements,	end to the best of my knowledge and er) is based on all information of which
rie Sig He	ase n	preparer has any kno		or properties to the	. gonom paran	1	L	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Hĕ	re	Signature of ge	oneral partner or limited liability	y company member	 .		Date	
_		Preparer's	1 1 -	L PAR	Date	1.1.	Check if	Preparer's social security no.
Paic Prei	l parer's	signature	Dany Grand	CIH	3/	6/97	self- employed	267-98-8240
	Only	Firm's name (or	BERKOW	THIRD AV	POLLACK			EIN ► 59-2742314
		yours if self-employed and address	ONE SE	FL FL	<u>ENUE, S</u>	<u>UITE 15</u>	<u> </u>	ZIP code ▶33131
Fori	Paparw	ork Reduction Act	Notice, see page 1 of sep					Form 1065 (1996)

08-01789-cgm Doc 1003 Filed 11/23/09 Entered 11/23/09 15:43:57 Main Document Pq 4 of 34 Form 1065 (1996) LEVA 11-3338752 Cost of Goods Sold (see page 13 of the instructions) Schedule A Inventory at beginning of year 1 1 2 2 Purchases less cost of items withdrawn for personal use 3 3 Cost of labor 4 Additional section 263A costs (attach schedule) 4 Other costs (attach schedule) 5 5 Total. Add lines 1 through 5 6 6 Inventory at end of year 7 8 Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2 8 9 a Check all methods used for valuing closing inventory: Cost as described in Regulations section 1.471-3 (ii) Lower of cost or market as described in Regulations section 1.471-4 (iii) Other (specify method used and attach explanation) b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.471-2(c) > c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970) . . . d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership? Nο e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? If "Yes," attach explanation. Schedule B Other Information What type of entity is filing this return? Check the applicable box: No Yes General partnership b Limited partnership c X Limited liability company Other (see page 14 of the instructions) Χ Are any partners in this partnership also partnerships? 2 Х Is this partnership a partner in another partnership? 3 Is this partnership subject to the consolidated audit procedures of sections 6221 through 62337 If "Yes," see 4 Χ 5 Does this partnership meet ALL THREE of the following requirements? a The partnership's total receipts for the tax year were less than \$250,000; b The partnership's total assets at the end of the tax year were less than \$600,000; AND c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; Χ or Item J on Schedule K-1 Χ ĥ Does this partnership have any foreign partners? Χ Is this partnership a publicly traded partnership as defined in section 469(k)(2)? 7 Has this partnership filed, or is it required to file, Form 8264, Application for Registration of a Tax Shelter? Х Я At any time during calendar year 1996, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See page 14 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If Χ "Yes," enter the name of the foreign country. 10 During the tax year, did the partnership recieve a distribution from, or was it the grantor of, or transferor to, a X foreign trust? If "Yes," see page 14 of the instructions for other forms the partnership may have to file Was there a distribution of property or a transfer (e.g., by sale or death) of a partnership interest during the tax 11 year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the Χ Designation of Tax Matters Partner (see page 15 of the instructions) Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return: Name of **Identifying** designated TMP number of TMP 7 116-24-1015 EVELINE SERGOLD 6001 UMBRELLA TREE LANE Address of TAMARAC, FLORIDA 33319

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11-3338752 Page 3 LEVA LLC Form 1065 (1996) of Income, Credits, Deductions, Schedule K Partners' (b) Total amount (a) Distributive share items Ordinary income (loss) from trade or business activities (page 1, line 22) 1 Net income (loss) from rental real estate activities (attach Form 8825) 2 Expenses from other rental activities (attach schedule) • • • • • Net income (loss) from other rental activities. Subtract line 3b from line 3a Income (Loss Portfolio income (loss): a Interest income

b Dividend income SEE STATEMENT 1 4a 18,211. c Royalty income 4c d Net short-term capital gain (loss) (attach Schedule D (Form 1065)) STMT. 1. 169,439. 4d Net long-term capital gain (loss) /attach Schedule D (Form 1065)) f Other portfolio income (loss) (attach schedule) 4f 5 Guaranteed payments to partners 6 Net gain (loss) under section 1231 (other than due to casualty or theft) (attach Form 4797) 7 Other income (loss) (attach schedule) 7 Charitable contributions (attach schedule) 8 9 Section 179 expense deduction (attach Form 4562) 9 Deductions related to portfolio income (itemize) 10 10 Other deductions (attach schedule) 11 12a Interest expense on investment debts 12a b (1) Investment income included on lines 4a, 4b, 4c, and 4f above STMT 1 18,211. 12b(1) (2) Investment expenses included on line 10 above 13a Low-income housing credit: (1) From partnerships to which section 42(j)(5) applies for property placed in service before 1990 (2) Other than on line 13a(1) for property placed in service before 1990 13a(2) (3) From partnerships to which section 42(j)(5) applies for property placed in service after 1989 Credits (4) Other than on line 13a(3) for property placed in service after 1989 13ai4} b Qualified rehabilitation expenditures related to rental real estate activities (attach Form 3468) 13b c Credits (other than credits shown on lines 3a and 13b) related to rental real estate activities 13c d Credits related to other rental activities <u>13d</u> Other credits 14 15a Net earnings (loss) from self-employment Self-Employ-ment 15a b Gross farming or fishing income 15b c Gross nonfarm income. 15c Adjustments and Tax Preference 16a Depreciation adjustment on property placed in service after 1986 16a b Adjusted gain or loss 16b c Depletion (other than oil and gas) <u> 16c</u> d (1) Gross income from oil, gas and geothermal properties 16d(1 16d(2) e Other adjustments and tax preference items (attach schedule) 17a Type of income Foreign Taxes b Foreign country or U.S. possession c Total gross income from sources outside the United States (attach schedule) 17c d Total applicable deductions and losses (attach schedule) 17d e Total foreign taxes (check one): ▶ Paid Accrued 17e f Reduction in taxes available for credit (attach schedule) 17f g Other foreign tax information (attach schedule) 17g Section 59(e)(2) expenditures: a Type ▶ ______b Amount ▶ 18 18b Tax-exempt interest income 19 19 20 Other tax-exempt income Other 20 Nondeductible expenses 21 21 Distributions of money (cash and marketable securities) 22 22 Distributions of property other than money Other items and amounts required to be reported separately to partners (attach schedule) 25a Income (loss). Combine lines 1 through 7 in column (b). From the result subtract the sum of 187,650. lines 8 through 12a, 17e, and 18b Analysis (b) Individual b Analysis by type (d) Exempt organization (e) Nominee/Other (c) Partnership (a) Corporate i. Active ii. Passive of partner: (1) General partners 187.650 (2) Limited partner 03/05/97 17:57:17 V605 6P1030 2,000 3307 04M26V

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Form 1065 (1996) LEVA, LLC

11-3338752 Page 4

Note: If Question 5 of Schedule B is answered "Yes," the partnership is not required to complete Schedules L. M-1, and M-2.

Schedule L	Balance Sheets per B	ooks			
		Beginnin	g of tax year	End	of tax year
	Assets	(a)	(b)	(c)	(d)
1 Cash			and Sand		195 197 197
2a Trade notes a	nd accounts receivable				
b Less allowand	e for bad debts				
3 Inventories			All Paris		
4 U.S. governme	ent obligations		670.00 670.00 670.00		
5 Tax-exempt se	ecurities		(200) (200)		
6 Other current	assets (attach schedule)				
7 Mortgage and	I real estate loans		MAN MAN		
8 Other investm	ents (attach schedule)	STMT 2			1,218,762
9a Buildings and	other depreciable assets				210 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -
	ated depreciation				
	sets				
• .	ated depletion				
	ny amortization)				100 000 000
	ets (amortizable only)				
•	ated amortization				The state of the s
	attach schedule)				X 2
-	• • • • • • • • • • • • • • • • •		77.7		1,218,762
	lities and Capital		ACCESSES OF THE PROPERTY OF TH		
	able	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	7/10 7/10 7/10		
	s, bonds payable in less than 1 year				100
	liabilities (attach schedule)				700 1.71 1.71
	· · · · · · · · · · · · · · · · · · ·				
	se loans				(2) 2 - 1 1 1 1 1 1 1 1 1 1
	s, bonds payable in 1 year or more		9900 1-2-1 2-11 		//// ////
	s (attach schedule)				1,218,762
	al accounts		7110		1,218,762
	Reconciliation of Inco	me (Loss) per B	ooks With Income	(Loss) per Retu	rn
Schedule M-1	(see page 23 of the in	-			
1 Net income (lo	oss) per books	187,650.	Income recorded on boo	ksthisyearnot included	
	ed on Schedule K, lines 1		on Schedule K, lines 1 t	hrough 7 (itemize):	
	and 7, not recorded on books		a Tax-exempt interest \$		
this year (itemi				<u></u>	
y (į			
3 Guaranteed pa	lyments (other than health	-	Deductions included on	Schedule K. lines 1	
-			through 12a, 17e, and		
•	rded on books this year not		against book income th	_	
-	hedule K, lines 1 through		a Depreciation \$	· · · · · · · · · · · · · · · · · · ·	
12a, 17e, and	<u> </u>			i i	
a Depreciation \$				1	
	ertainment \$				
b travel and ente	ertainment \$	l			
		ا ا		: 1	
		187,650.	Subtract line 8 from line		187,650
5 Add lines 1 thr Schedule M-2	Analysis of Partners' (107,000
Cijeddie ivi-z	Allalysis of Farthers				
 Balance at beg 	inning of year	NONE		• • • • • • • • • •	
 Capital contribution 	uted during year ,	1,031,112.	b Proper	- i	
•	ss) per books	187,650.	Other decreases (itemiz	e):	
4 Other increases	s (itemize):				
		ļ			
			Add lines 6 and 7 • •	[
	ough 4	1,218,762.	Balance at end of year. Sub	tract line 8 from line 5	1,218,762

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SCHEDULE D (Form 1065)

Capital Gains and Losses Attach to Form 1065.

OMB No. 1545-0099

Department of the Treasury Internal Revenue Service Name of partnership

Employer identification number

VAR I	ous				11-3338752	
Part i	Short-Term Capital Gair	ns and Losses	- Assets Held 1	Year or Less		
(e.g., 1	(a) Description of property IOO shares 7% preferred of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain (loss) ((d) minus (e))
1 SE	E ATTACHED SCHEDUL	E				
				10237707	10010079	227,628.
SE	E ATTACHED SCHEDUL		iran.	000 500	000 007	F0 400
	· · · · · · · · · · · · · · · · · · ·	VAR	VAR	322,508	380,697.	<u>-58,189.</u>
		······································				
			<u></u>			
			<u> </u>			
2 Shor	t-term capital gain from installm	ent sales from For	m 6252, line 26 or	37	2	
3 Shor	t-term capital gain (loss) from lik	e-kind exchanges	from Form 8824		3	
	nership's share of net short-term				m	
	tal gains (losses), from other part				4	· · · · · · · · · · · · · · · · · · ·
	short-term capital gain (loss). Co			1	5	169,439.
art II	dule K. line 4d or 7 · · · · · · · Long-Term Capital Gains					100,400.
6	Long Torm Capital Call	J UNIO EDSSOO	7,05015 7,010 111	010 111017 7 1 00		
		-				, , , , , , , , , , , , , , , , , , ,
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						· · · · · · · · · · · · · · · · · · ·
 .				••••••••••••••••••••••••••••••••••••••		
**						
· · · · · · · · · · · · · · · · · · ·						
			- 6252 line 26 e-	27	1 7	
	-term capital gain from installme -term capital gain (loss) from like					~
	-term capital gain (loss) from like ership's share of net long-term o					
	(losses), from other partnership				9	
					10	
1 Net lo	ong-term capital gain (loss). Com	bine lines 6 throu	gh 10. Enter here a	and on Form 1065,		,
	dule K. line 4e or 7				11	

08-01789-cgm Doc 1003 Filed 11/23/09 Entered 11/23/09 15:43:57 Pg 8 of 34 LEVA, LLC FORM 1065 SUPPORTING SCHEDULES	7 Main Document 11-3338752
SCHEDULE K - LINE 4B - DIVIDEND INCOME	
BERNARD L. MADOFF	18,211.
TOTAL DIVIDEND INCOME	18,211.
SCHEDULE K - LINE 4D - NET SHORT-TERM CAPITAL GAIN/LOSS PORTFOLIO ACTIVITIES	169,439.
TOTAL NET SHORT-TERM CAPITAL GAIN/LOSS	169,439. ==========
SCHEDULE K - LINE 12B(1) - INVESTMENT INCOME	
DIVIDEND INCOME	18,211.
TOTAL INVESTMENT INCOME, SCHEDULE K, LINE 12B(1)	18,211.

DOO + 2/1	
LEVA, LLC Pg 9 of 34 11-3338752	<u>.</u>
FORM 1065, SUPPORTING SCHEDULES	
SCHEDULE L - LINE 8 - OTHER INVESTMENTS BEGINNING ENDING	;
U.S. TREASURY BILLS 1,218	,762.
TOTAL OTHER INVESTMENTS 1,218	,762.
SCHEDULE M-2 - LINE 2 - CAPITAL CONTRIBUTED DURING YEAR	
CAPITAL CONTRIBUTED DURING THE YEAR 1,031	,112.
TOTAL CAPITAL CONTRIBUTED DURING THE YEAR 1,031	- I

LEVA, LLC EIN # 11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
``````````						
Common Stocks						
Common Stocks	_					
U.S, Treas	710,000	01/02/96	01/22/96		701,267 247,250	
U.S. Treas	250,000	01/08/96	01/22/96	951,264		2,747
U.S. Treas	980,000	02/22/96	02/29/96	972,340	971,964	376
U.S. Treas	120,000	02/29/96	03/12/96	119,268	119,100	168
U.S. Treas	1,160,000	09/25/96	10/15/96	1,155,360	1,151,996	3,364
U.S. Treas	1,210,000	12/18/96	12/24/96	1,209,758	1,208,790	968
U.S. Treas	1,220,000	12/24/96	12/31/96	1,212,558	1,211,582	976
AT&T	976	01/24/96	02/21/96	65,636	64,294	1,342
AT&T	930	02/29/96	05/13/96	55,684	60,450	(4,766)
AŢ&T	124	03/14/96	05/13/2009	7,425	7,704	(279)
AT&T	1,037	05/17/96	09/25/96	59,109	64,813	(5,704)
AT&T	126	07/23/96	09/25/96	7,182	6,710	473
AT&T	1,105	10/17/96	12/16/96	42,404	42,680	(276)
AMEX	320	01/24/96	02/21/96	15,000	13,280	1,720
AMEX	285	02/29/96	05/13/96	13,644	13,039	60 <del>6</del>
AMEX	38	03/14/96	05/13/96	1,819	1,701	119
AMEX	306	05/17/96	09/25/96	13,808	14,535	(727)
AMEX	38	07/23/96	09/25/96	1,715	1,587	128
AMEX	323	10/17/96	10/31/95	15,060	15,140	(80)
amer intl group	304	01/24/96	02/21/96	30,704	28,538	2,166
amer inti group	270	02/29/96	05/13/96	24,469	26,595	(2,126)
amer intl group	36	03/14/96	05/13/96	3,263	3,375	(113)
amer intl group	289	05/17/96	09/25/96	28,105	26,877	1,228
amer intl group	38	07/23/96	09/25/96	3,696	3,477	219
amer int group	323	10/17/96	12/16/96	35,369	33,188	2,181
ameritech	352	01/24/96	02/21/96	21,736	20,460	1,276
ameritech	315	02/29/96	05/13/96	18,113	18,428	(315)
ameritech	42	03/14/96	05/13/96	2,415	2,300	116
ameritech	340	05/17/96	09/25/96	18,020	20,060	(2,040)
amertech	44	07/23/96	09/25/96	2,332	2,486	(154)
ameritech	357	10/17/96	12/16/96	19,903	19,367	536
amoco	304	01/24/96	02/15/96	<b>21,812</b>	21,166	646
amoco	285	02/29/96	05/13/96	20,556	19,879	677
amoco	38	03/14/96	05/13/96	2,741	2,613	128
amoco	323	05/17/96	09/25/96	22,610	23,418	(808)
amoco	40	07/25/96	09/25/96	2,800	2,675	125
amoco	340	10/17/ <del>9</del> 6	12/11/96	26,010	24,522	1,488
atlantic richfiel	96	01/29/96	02/15/96	11,148	10,776	372
atlantic richfiel	12	07/18/96	09/25/96	1,509	1,424	86
bankamerica	240	01/19/96	02/21/96	16,800	14,490	2,310
bankamerica	210	02/29/96	05/13/96	15,173	15,041	131
bankamerica	28	03/14/96	05/13/96	2,023	2,041	(18)
bankamerica	238	05/17/96	09/25/96	19,486	18,207	1,279
bankamerica	30	07/23/96	09/03/96	2,456	2,303	154
bankamerica	255	10/17/96	12/11/96	24,863	21,962	2,901
bell atlantic	272	01 <i>1</i> 24/96	02/21/96	19,618	18,768	850

LEVA, LLC EIN # 11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
bell atlantic	255	02/29/96	05/13/96	16,129	16,894	(765)
bell atlantic	32	03/14/96	05/13/96	2,024	2,044	(20)
bell atlantic	34	07/23/96	09/25/96	1,972	2,032	(60)
bell atlantic	272	05/17/96	09/25/96	15,776	17,680	(1,904)
bell atlantic	289	10/17/96	12/11/96	17,268	17,015	253
boeing	224	01/24/96	02/21/96	18,592	17,304	1,288
boeing	. 195	02/29/96	05/13/96	14,869	15,941	(1,072)
boeing	26	03/14/96	05/13/96	1,983	2,054	(71)
boeing	221	05/17/96	09/25/96	20,691	17,735	2,956
boeing	28	07/23/96	09/25/96	2,622	2,401	221
boeing	238	10/17/96	12/11/96	22,670	23,324	(655)
bristol myers	320	01/19/96	02/21/96	28,120	26,760	1,360
bristol myers	285	02/29/96	05/13/96	23,049	24,510	(1,461)
bristol myers	40	03/14/96	05/13/96	3,235	3,390	(155)
bristol myers	323	05/17/96	09/25/96	30,685	26,567	4,118
bristol myers	40	07/23/96	09/25/96	3,800	3,435	365
bristol myers	357	10/17/96	12/11/96	39,538	35,120	4,418
chrysler	240	01/24/96	02/21/96	13,320	13,020	300
chrysler	210	02/29/96	05/13/96	13,492	11,340	2,152
chrysier	30	03/14/96	05/13/96	1,928	1,740	188
chrysler	238	05/17/96	08/21/96	•	15,381	
chrysler	58	07/23/96	08/21/96	15,152	1,697	(1,926)
chrysler	527	10/17/96	12/11/96	18,445	16,666	1,779
cisco system	374	05/17/96	09/25/96	,	20,570	••••
cisco system	50	07/23/96	09/25/96	25,758	2,644	2,544
cisco system	442	10/17/96	12/11/96	30,056	28,730	1,326
citicorp	272	01/24/96	02/21/96	20,876	18,666	2,210
citicorp	270	02/29/96	05/13/96		21,094	•
citicorp	36	03/14/96	05/13/96	23,677	2,754	(171)
citicorp	306	05/17/96	09/25/96		24,710	, ,
citicorp	38	07/23/96	09/25/96	30,186	3,031	2,445
citicorp	323	10/17/96	12/11/96	32,704	29,716	2,988
coca cola	784	01/04/96	02/15/96	64,190	57,624	6,566
coca cola	735	02/26/96	05/13/96	·	60,086	,
coca cola	98	03/14/96	05/13/96	68,723	7,877	760
coca cola	1,666	05/17/96	09/25/96		72,679	
coca cola	196	07/23/96	09/25/96	95,893	9,114	14,100
coca cola	1,666	10/17/96	12/11/96	81,842	79,968	1,874
columbia/healt	272	01/24/96	02/21/96	15,164	14,688	476
columbia/healt	255	02/29/96	05/13/96	·	14,216	
columbia/healt	32	03/14/96	05/13/96	14,745	1,748	(1,219)
columbia/healt	289	05/17/96	09/25/96		15,462	(,,,
columbia/healt	36	07/23/96	09/25/96	18,525	1,800	1,263
lisney walt	336	01/24/96	02/21/96	21,630	20,076	1,554
lisney walt	300	02/29/96	05/13/96	• • • • •	19,500	*****
lisney walt	40	03/14/96	05/13/96	20,018	2,640	(2,122)
lisney walt	425	05/17/96	09/25/96	.,	25,925	<u> </u>
lisney walt	54	07/23/96	09/25/96	30,177	3,051	1,201
lisney wait	459	10/17/96	12/11/96	33,048	29,261	3,787

LEVA, LLC EIN # 11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
dow chemical	160	01/24/96	02/21/96	12,320	11,020	1,300
dow chemical	150	02/29/96	05/13/96	12,00	11,719	1,000
dow chemical	20	03/14/96	05/13/96	15,428	1,630	2,079
dow chemical	153	05/17/96	07/19/96	11,666	13,311	(1,645)
du pont	352	01/24/96	02/21/96	28,204	24,948	3,256
du pent	315	02/29/96	05/13/96		25,082	0,200
du pont	44	03/14/96	05/13/96	28,226	3,355	(211)
du pont	374	05/17/96	09/25/96		30,014	(,
du pont	44	07/23/96	09/25/96	36,105	3,300	2,791
du pont	374	07/22/96	07/19/96	28,237	27,957	280
du pont	391	10/17/96	12/11/96	36,363	37,145	(782)
eastman/codak	224	01/24/96	02/21/96	17,360	15,120	2,240
eastman/codak	195	02/29/96	05/13/96		14,381	
eastman/codak	26	03/14/96	05/13/96	16,796	1,872	543
eastman/codak	221	05/17/96	09/25/96	•	16,934	
eastman/codak	28	07/23/96	09/25/96	18,706	2,051	(279)
eastman/codak	238	10/17/96	12/11/96	19,129	18,028	1,101
exxon	784	01/24/96	02/21/96	65,268	63,406	1,862
exxon	720	02/29/96	05/13/96	,	58,050	.,
еххоп	96	03/14/96	05/13/96	68,136	7,596	2,490
exxon	799	05/17/96	09/25/96		67,615	_,,
exxon	98	07/23/96	09/25/96	77,703	8,355	1,733
exxon	799	07/23/96	07/19/96	70,212	68,115	2,097
exxon	850	10/17/98	12/11/96	80,325	73,312	7,013
ford	688	01/24/96	02/21/96	21,156	19,092	2,064
ford	615	02/29/96	05/13/96		18,834	_ <b>,</b>
ford	84	03/14/96	05/13/96	24,902	2,657	3,411
ford	748	05/17/96	09/25/96	,	26,928	41,
ford	92	07/23/96	09/25/96	26,880	2,944	(2,992)
ford	816	10/17/96	12/11/96	26,928	26,112	816
general elec	1,072	01/24/96	02/21/96	84,688	78,256	6,432
general elec	975	02/29/96	05/13/96	•	76,903	
general elec	132	03/14/96	05/13/96	83,994	9,834	(2,743)
general elec	1,071	5.17/96	09/25/96		83,806	<b>(_/</b> ,/
general elec	130	07/23/96	09/25/96	106,439	10,758	11,875
general elec	1,139	10/17/96	12/11/96	110,483	105,927	4,556
gen motors	464	01/24/96	02/21/96	23,896	22,040	1,856
gen motors	420	02/29/96	05/13/96	•	21,630	.,
gen motors	60	03/14/96	05/13/96	25,860	3,060	1,170
gen motors	510	05/17/96	09/25/96	•	27,030	•
gen motors	58	07/23/96	09/25/96	27,690	2,842	(2,182)
gen motors	527	10/17/96	12/11/96	30,566	26,613	3,953
hewlett packa	336	1/24/96	02/21/96	29,736	25,704	4,032
hewlett packa	300	02/26/96	05/13/96	31,050	30,338	712
hewlett packa	40	03/14/96	05/13/96	4,140	3,680	460
hewlett packa	340	05/17/96	09/25/96	•	38,335	
hewlett packa	8.0	07/23/96	09/25/96	36,860	3,440	(4,915)
hewlett packa	714	10/17/96	12/11/96	38,556	33,022	5,534
ibm	368	01/24/96	02/21/96	43,378	35,696	7,682

LEVA, LLC EIN # 11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
ibm	330	02/29/96	05/13/96	34,898	41,209	(6 214 <u>)</u>
ibm	44	03/14/96	05/13/96	4,653	5,016	(6,311) (363)
ibm	374	05/17/96	09/25/96	46,283	40,392	5,891
ibm	42	07/23/96	09/25/96	5,198	3,932	1,266
ibm	357	10/17/96	12/11/96	55,692	45,964	9,728
intel	528	01/24/96	02/21/96	30,624	26,928	3,696
intel	480	02/29/96	05/13/96	33,000	29,040	3,960·
intel	64	03/14/96	05/13/96	4,400	3,464	936
intel	544	05/17/96	09/25/96	53,040	39,168	13,872
intel	64	07/23/96	09/25/96	6,240	4,600	1,640
intel	612	10/17/96	12/11/96	83,538	63,036	20,502
johnson&johso	416	01/24/96	02/21/96	40,352	35,984	4,368
johnson&johso	375	02/29/96	05/13/96	34,359	35,203	(844)
johnson&johso	52	03/14/96	05/13/96	4,765	4,882	(117)
johnson&johso	442	05/17/96	09/25/96		40,830	(,,,,
johnson&johso	106	07/23/96	09/25/96	49,748	5,088	3,830
johnson&johso	901	10/17/96	12/11/96	46,627	45,951	676
mci communic	432	01/24/96	02/21/96	12,960	12,042	918
mci communic	390	02/29/96	05/13/96	11,115	11,456	(341)
mci communic	52	03/14/96	05/13/96	1,482	1,508	(26)
mcdonalds	448	01/24/96	02/21/96	23,128	21,504	1,624
mcdonalds	405	02/29/96	05/13/96	19,389	20,554	(1,164)
mcdonalds	54	03/14/96	05/13/96	2,585	2,720	(135)
mcdonalds	442	05/17/96	09/25/96	20,995	21,161	(166)
mcdonalds	56	07/23/96	09/25/96	2,660	2,457	203
mcdonalds	493	10/17/ <del>9</del> 6	12/11/96	22,986	22,616	370
merck	768	01/24/96	02/21/96	54,144	50,208	3,936
merck	720	02/29/96	05/13/96	42,750	47,700	(4,950)
mercķ	96	03/14/96	05/13/96	5,700	6,144	(444)
merck	<b>79</b> 9	05/17/96	09/25/96	54,732	48,140	6,592
merck	98	07/23/96	09/25/96	6,713	6,174	539
merck	833	10/17/96	12/11/96	65,911	58,518	7,393
m.m.m.	256	01/24/96	02/21/96	17,344	16,064	1,280
m·w·wʻ	240	02/29/96	05/13/96	15,540	15,480	60
m.m.m.	32	03/14/96	05/13/96	2,072	2,016	56 ⁻
m.m.m.	255	05/17/96	07/18/96	16,830	16,703	127
m.m.m.	289	10/17/96	12/11/96	24,023	20,555	3,468
mobil	256	01/24/96	02/21/96	29,504	28,160	1,344
mobil	225	02/29/96	05/13/96	24,694	24,975	(281)
mobil	30	03/14/96	05/13/96	3,293	3,315	(23)
mobil	255	05/17/96	09/25/96	30,345	29,070	1,275
mobil	32	07/23/96	09/25/96	3,808	3,552	256
mobil	272	10/17/96	12/11/96	32,538	31,824	714
monsanto	425	10/17/96	11/20/96	16,947	17,372	(425)
nynex	272	01/19/96	02/21/96	14,484	14,212	272
nynex	240	02/26/96	05/13/96	11,550	12,300	(750)
nynex	32	03/14/96	05/13/96	1,540	1,624	(84)
nynex	272	05/17/96	09/25/96	11,832	13,260	(1,428)
пупех	34	02/13/00	09/25/96	1,479	1,547	(68)

LEVA, LLC EIN#11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
pepsico	496.	01/24/96	02/21/96	31,248	28,334	2.044
pepsico	450	02/29/96	05/13/96	29,081	29,363	2,914
pepsico	62	03/14/96	05/13/96	4,007	3,860	(281) 147
pepsico	510	05/17/96	09/25/96	4,007	33,915	141
pepsico	124	07/23/2006	09/25/96	34,463	3,953	(3,405)
pepsico	1,071	10/17/96	12/11/96	31,595	30,791	804
oracle corp	240	08/27/00	04/18/96	11,010	12,930	(1,920)
oracle corp	. 34	03/14/96	04/18/96	1,560	1,628	(68)
oracle corp	408	05/17/96	08/21/96	16,320	14,331	1,989
oracle corp	<b>5</b> 2	07/23/96	08/21/96	2,080	1,950	130
oracle corp	459	10/17/96	12/11/96	22,147	20,655	1,492
pharmacia/up	304	01/24/96	02/21/96	13,148	11,780	1,368
pharmacia/up	285	02/29/96	05/13/96	11,115	12,184	(1,069)
pharmacia/up	38	03/14/96	05/13/96	1,482	1,587	(105)
pharmacia/up	323	05/17/96	09/25/96	13,849	12,920	929
pharmacia/up	40	07/23/96	09/25/96	1,715	1,615	100
sears.roebuc	225	02/25/96	05/13/96	11,391	10,378	1,013
schlumberger	153	05/17/96	07/19/96	13,120	13,426	(306)
wai-mart	1,488	01/24/96	02/21/96	32,922	29,016	3,906
wal-mart	1,335	02/29/96	05/13/96	32,207	29,203	3,004
wal-mart	184	03/14/96	05/13/96	4,439	4,048	391
wal-mart	1,479	05/17/96	09/25/96	40,499	36,236	4,263
wal-mart	182	07/23/96	09/25/96	4,982	4,345	637
wal-mart	1,564	10/17/96	12/11/96	38,123	42,228	(4,106)
Subtotal				10,237,707	10,010,079	227,628
Stock Index Options						
S&P 100 Feb 580 Put	46	04 100 100	004000	_		
S&P 100 Feb 590 Call	16 16	01/22/96 02/15/96	02/16/96	0	9,016	(9,016)
S&P 100 Feb 630 Put	16	02/13/96	01/23/96	8,784	63,696	(54,912)
S&P 100 Mar 635 Call	15	02/15/96	02/16/96	5,984	4,016	1,968
S&P 100 Mar 625 Put	15	02/27/96	02/27/96	9,360	1,140	8,220
S&P 100 Mar 620 Call	15	02/27/96	03/11/96	23,423	9,765	13,658
S&P 100 Mar 610 Put	15	03/11/96	03/11/96	8,048	1,140	6,908
S&P 100 Mar 620 Call	2	03/11/96	03/20/96	0	6,765	(6,765)
S&P 100 Mar 610 Put	2	03/12/96	03/12/96 03/20/96	598	152	446
S&P 100 Apr 630 Call	17	04/19/96	03/20/96	0	852	(852)
S&P 100 Apr 620 Put	17	03/18/96	04/19/96	16,983	0	16,983
S&P 100 Apr 610 Put	17	04/12/96	04/12/96	514 17,833	18,930	(18,416)
S&P 100 Apr 625 Put	17	04/22/96	04/19/96		12,130	5,703
S&P 100 May 620 Put	17	04/22/96	05/09/96	5,721 14,008	4,055	1,666
S&P 100 May 630 Call	1.7	05/09/96	04/23/96		13,617	391
S&P 100 May 640 Put	17	05/15/96	05/20/96	12,733 196	1,505 5 117	11,228
S&P 100 May 645 Call	17	05/20/96	05/16/96	5,508	5,117	(4,921) 4 747
S&P 100 June 640 Put	17	05/20/96	06/24/96	5,506 621	761	4,747
S&P 100 June 650 Call	17	06/21/96	05/21/96	18,258	14,042 0	(13,421) 18,258
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LEVA, LLC EIN # 11-3338752 SCHEDULE D, Part I, Short Term Capital Gains and Losses

Description	Quantity	Date Acquired	Date Sold	Sales Price	Cost Basis	Gain/ (Loss)
						, , , , , , , , , , , , , , , , , , , ,
S&P 100 Jul 640 Put	17	06/24/96	07/16/96	57,681	14,467	43,214
S&P 100 Jul 655 Call	17	07/17/96	06/25/96	12,308	17	12,291
S&P 100 Jul 610 Put	17	07/16/99	07/22/96	833	3,417	(2,584)
S&P 100 Jul 610 Call	17	07/17/96	07/18/96	10,183	3,205	6,978
S&P 100 Jul 615 Call	17	07/22/96	07/18/96	6,358	2,567	3,791
S&P 100 Aug 610 Put	2	07/19/96	08/16/96	0	1,502	(1,502)
S&P 100 Aug 615 Put	17	07/22/96	08/16/96	0	14,892	(14,892)
S&P 100 Aug 625 Call	19	08/19/96	07/23/96	11,381	37,050	(25,669)
S&P 100 Sept 640 Put	19	08/19/96	09/20/96	0	15,457	(15,457)
S&P 100 Sept 650 Call	19	08/20/96	09/23/96	18,269	29,241	(10,972)
S&P 100 Sept 660 Call	19	09/20/96	09/23/96	10,241	5,244	4,997
S&P 100 Oct 670 Put	17	10/15/96	10/21/96	0	2,992	(2,992)
S&P 100 Oct 675 Put	17	10/15/96	10/21/96	0	2,780	(2,780)
S&P 100 Oct 685 Call	17	10/21/96	10/16/96	3,808	8,500	(4,692)
S&P 100 Nov 685 Put	17	10/21/96	11/18/96	0	14,042	(14,042)
S&P 100 Nov 695 Call	17	11/18/96	10/22/96	13,158	29.903	(16,745)
S&P 100 Dec 715 Call	17	12/12/96	11/18/96	20,383	12,767	7,616
S&P 100 Dec 710 Put	17	11/18/96	12/12/96	9,333	15,955	(6,622)
Subtotal				322,508	380,697	(58,189)
			_			(,)
Total			<del></del>	10,560,215	10,390,776	169,439

# **ELECTION TO AMORTIZE START-UP EXPENDITURES**

### **FORM 1065**

F/Y/E: 12/31/96

Name:

Leva, LLC

**F.E.I.**:

11-3338752

### Protective Election - \$195

The taxpayer does not believe that it has made any expenditures that would be classified as "Start-Up Expenditures" during the current year ended December 31, 1996. However, in the event it is later determined that any expenditures are in the nature of "Start-Up expenditures", this protective election to amortize such expenditures is hereby made at this time.

# ELECTION TO AMORTIZE ORGANIZATIONAL EXPENDITURES

### **FORM 1065**

F/Y/E: 12/31/96

Name:

Leva, LLC

F.E.I.:

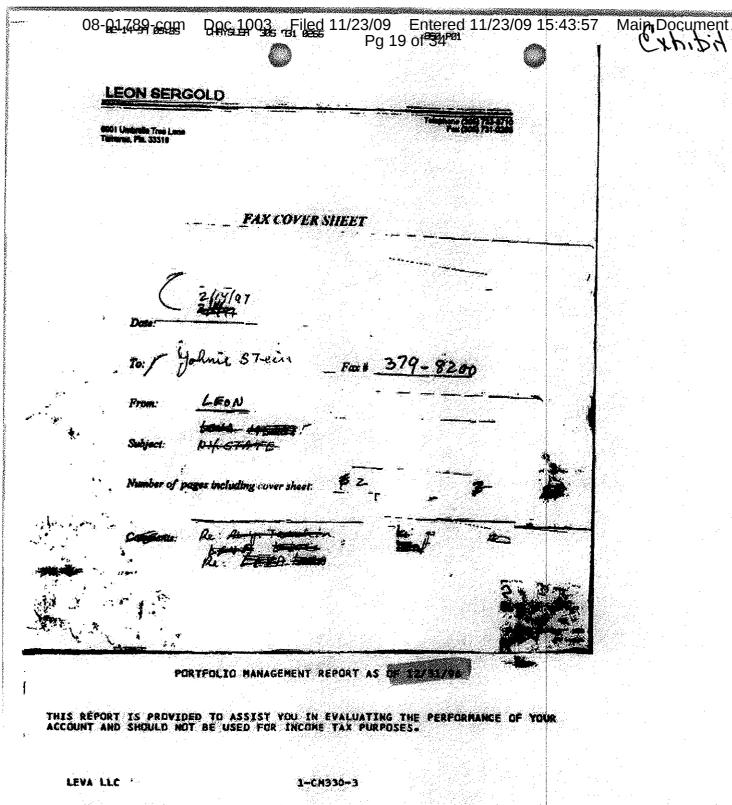
11-3338752

## Protective Election - \$ 769

The taxpayer does not believe that it has made any expenditures that would be classified as "organizational expenditures" during the current year ended December 31, 1996. However, in the event it is later determined that any expenditures are in the nature of "organizational expenditures", this protective election to amortize such organizational expenditures is hereby made at this time.

Schedule K-1, ICm J - Analysis of Partners apital Accounts

Number	A. Capital Account at Beginning of Year	8. Capital Contributed During Year	C. Partners' Shares of Sch. M-2, Lines 3, 4, and 7	D. Withdrawals and Distributions	E. Capital Account at End of Year
1		568,163. 158,633. 200,000. 104,316.	104,277. 29,114. 35,113. 19,146.		672,440
2		158,633.	29,114.		187,747
3		200,000.	35.113.		235,113
4		104,316.	19.146.		123,462
				:	120,402
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6001 UMBRELLA TREE LANE TAMARAC FL 33319

STARTING EQUITY FOR CURRENT YEAR CAPITAL ADDITIONS CAPITAL MITHDRAMALS REALIZED P/L FOR CURRENT YEAR UNREALIZED P/L ON OPEN SECURITY POSITIONS CURRENT CASH BALANCE NET MARKET VALUE OF OPEN SECURITIES POSITIONS TOTAL EQUITY

ANNUALIZED RETURN FOR CURRENT YEAR 18.

706v111-77ca 3/507/5/11-77

187,652-37CR

-14CR 1,210,784.00 NET LANG 1,210,764-14CR

	08-	-01789-cgm	Dốc 1003	File	d 11/23	/09 Ei	ntere	d 11/23/	09 1	5:43:5	7 <b>(</b> N	ABIN D	ocument	
	4	065	u.(	. Pa	rtners	⊃g 20 ol ship R	o4 <b>et</b> ur	n of Ir		ne		0.50		
	EARL -		For calendar year	1997. or te	n with pedia	mina 01/	01.4	97. and ends		31	. 97.		No. 1545-0099	
Int	emal Heve	of the Treasury mue Service				separate in					,		<u> 19<b>97</b></u>	
A	Principa	l business activity	Name of partnersh	нiр					·				r identification :	
ı	NVES	TMENT	LEVA, LI	i C									3338752	
		product or service	Number, street, an	d room or s	uite no. If a I	P.O. box, see ;	page 10 c	f the instruction	ens,				***************************************	
_													01/98	
		ITIES s code number	1013 CEI City or town, state,	NTRE	ROAD			<del></del>				F Total ass (see pag	ets e 10 of the instr	uctions)
_		48	WILMING			DE			10	805			1 205 0	.0.2
G		applicable boxes:	(1) Initial		(2)	Final retur	n (3)	Chang	e in ad		(4)		1,205,9 ded return	<u>us.,</u>
Н		accounting method:			(2)	Accrual	(3)		(specif					
<u> </u>	Numb	er of Schedules K-1.	Attach one for ea	ch person	who was a	partner at a	ny time	during the t	ах уваг	<u> </u>		4_		
Cı	aution:	: Include only tra	ide or business	income a	and expen	ses on line	s 1ath	ough 22 be	elovv. S	ee the in	strucți	ons for m	ore informati	ion.
	T		<del></del>										<del></del>	
		Gross receipts or s												
	b	Less returns and a	liowances			[	1b				1c			<del>~~~</del> .
	2	Cost of goods sold	t-/Schodulo A: f	ino 81		•								
9		Gross profit. Subtr		line 1c .	• • • • •	<i>-</i> · ·			• • •		3	· · · · · ·	<del></del>	<del></del>
ncome	4	Ordinary income (	oss) from other	partners	hips, esta	tes, and tro	ısts <i>(at</i>	ach schedu	ile)			<del></del>	<del></del>	
=	5	Net farm profit (los	ss) (attach Sche	edüle F (F	omi 1040	W					5			
	6	Net gain (loss) from	n Form 4797, i	Part II, lin	e 18						6		· · · · · · · · · · · · · · · · · · ·	
	7	Other income (loss	c) /attach school	luioi							,			•
		Outer income too	ų įatiacii scrieti	ule)	• • • • •		• • • •		• • •		7		<del></del>	<del></del>
<b></b>	8	Total income (los:	s). Combine line	s 3 thro	ugh 7	,		* * * * * * *	ا ارځوورځي		8			
e u									·					
tatio		Salaries and wage									9	· · · · · · · · · · · · · · · · · · ·		
instructions for limitations	10 11	Guaranteed payme Repairs and mainte	ints to partners	• • • • •		,					10	<del></del>	<del> </del>	
ns fo	12	Bad debts	marke,				• • • •	* * * * * *			11 12	<del> </del>	<del></del>	<del></del>
	13	Rent									13		<del></del>	
İnstri		Taxes and licenses									14			
of the	E .							• • • • • •			15		····	
₹ =	1	Depreciation (if rec Less depreciation rep	•		,		6а  6b			· ·	40			
age.		Depletion (Do not							÷		16c			—
96	ŀ	Retirement plans, e				· • • • • • •					18		M <del></del>	
<u>25</u>	19	Employee benefit p	rograms	<i>.</i>					,		19			
Ę	, ,	Oak an ala da a atau atau a												
Deductions (see page 11	20	Other deductions (a	mach schedule	y	• • • • • •					• • • •	20		<del></del>	—
å	21 7	Total deductions.	Add the amoun	ts shown	n in the far	right colu	mn for	ines 9 thro	uoh 20	,	21			
	<u>22 (</u>	Ordinary income (I									22			
۱je	ease	Under penalties of pe- belief, it is true, correct	st, and complete. De	I have exa eclaration of	emined this p preparer (ot	etum, includir her than gene	ng accom erai partn	panying sched er or limited lik	fules an	d statemen mpany mer	its, and i inber) is	to the best of based on all	if my knowledge	and which
gīś	jn	preparer has any knov	rledge.						l.					
ie	re	Signature of gener	al partner or limited	liability con	mpany memi	oer				Date			<del></del>	
٠		Preparer's			- 1	11	Date	/ /	Chec	kif	Pre	parer's soci	al security no.	
aic rej	a Darer's	· / //	any low	er ()	(1	"H	2/	28/98	self- empl	oyed 🕨	] 2		-8240	
•	Only	Firm's name (or yours if self-employed)	-	OWITZ				BRANT	·		EIN	<u>⊳ 59</u>	<u>-274231</u>	4
		and address	MIAM		IIRD A	Y ENUE,	<u> 501</u>	TE 150	บ			code ►3	2121	
or	Paperw	ork Reduction Act N			ctions.	<del></del>		- ·			1 21		om 1065 /1	9971

Filed 11/23/09 Entered 11/23/09 15:43:57 08-01789-cam Doc 1003 Main Document Pg 21 of 34 11-3338752 Cost of Goods Sold (see page 13 of the instructions) Schedule A 1 Inventory at beginning of year ......... Purchases less cost of items withdrawn for personal use 2 2 3 Cost of labor Additional section 263A costs (attach schedule) 4 5 Other costs (attach schedule) 6 Total. Add lines 1 through 5 6 7 Inventory at end of year 8 Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2 9 a Check all methods used for valuing closing inventory: Cost as described in Regulations section 1.471-3 (ii) Lower of cost or market as described in Regulations section 1.471-4 Other (specify method used and attach explanation) b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.471-2(c) . . . . . . > c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970) . . . > d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership? Yes No e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? No If "Yes," attach explanation. Schedule B Other Information What type of entity is filing this return? Check the applicable box: Yes No General partnership b Limited partnership c X Limited liability company Other (see page 14 of the instructions) 2 Are any partners in this partnership also partnerships? Is this partnership a partner in another partnership? 3 4 Is this partnership subject to the consolidated audit procedures of sections 6221 through 6233? If "Yes," see Does this partnership meet ALL THREE of the following requirements? a The partnership's total receipts for the tax year were less than \$250,000; b The partnership's total assets at the end of the tax year were less than \$600,000; AND c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item J on Schedule K-1 <u>X</u> X 6 Does this partnership have any foreign partners? Is this partnership a publicly traded partnership as defined in section 469(k)(2)? Χ 7 8 Has this partnership filed, or is it required to file, Form 8264, Application for Registration of a Tax Shelter? . . . . . . At any time during calendar year 1997, did the partnership have an interest in or a signature or other authority 9 over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See page 14 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If Х "Yes," enter the name of the foreign country. 🕨 _ During the tax year, did the partnership receive a distribution from, or was it the grantor of or transferor to, a 10 X foreign trust? If "Yes," the partnership may have to file Form 3520 or 926. See page 14 of the instructions . . . . . . 11 Was there a distribution of property or a transfer (e.g., by sale or death) of a partnership interest during the tax year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the Designation of Tax Matters Partner (see page 15 of the instructions) Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of		ldentifying
designated TMP	EVELINE SERGOLD	number of TMP 116-24-1015
Address of	6001 UMBRELLA TREE LANE	
designated TMP	TAMARAC, FLORIDA 33319	·

<u>SCII</u>	eauie		<del></del>	
	1 4	(a) Distributive share items	<del>                                     </del>	(b) Total amount
	1	Ordinary income (loss) from trade or business activities (page 1, line 22)	1	
	2	Net income (loss) from rental real estate activities (attach Form 8825)	2	
	3			
	*	Expenses from other rental activities (attach schedule) 3b		
	٠ (	Net income (loss ) from other rental activities. Subtract line 3b from line 3a	3c	
	4	Portfolio income (loss):		
SS	a	a Interest income	4a	
₹	l t	Dividend income SEE STATEMENT 1	4b	10,964.
Income (Loss)		Mark 1. A	4c	
8	0	Royalty income  Net short-term capital gain (loss) (attach Schedule D (Form 1065))  STMT 1	4d	221,177.
트	€	Net long-term capital gain (loss) (attach Schedule D (Form 1065)):		
		(1) 28% rate gain (loss) (2) Total for year	4e(2)	
	f		4f	
	5	Guaranteed payments to partners	5	
	6	Net section 1231 gain (loss) (other than due to casualty or theft) (attach Form 4797):		
	а	28% rate gain (loss) > b Total for year	6b	
	7	Other income (loss) (attach schedule)	7	
	8	Charitable contributions (attach schedule)		
Deduc- tions	9	Section 179 expense deduction (attach Form 4562)	-	
9 6	10	Deductions related to portfolio income (itemize)	9	
₩.	111	Other deductions (attent askedule)		
		Other deductions (attach schedule)  Low-income housing credit:	11	
	128			
		(1) From partnerships to which section 42(j)(6) applies for property placed in service before 1990	12a(1)	
		(2) Other than on line 12a(1) for property placed in service before 1990	12a(2)	
\$		(3) From partnerships to which section 42(j)(5) applies for property placed in service after 1989	12a(3)	
Credits		(4) Other than on line 12a(3) for property placed in service after 1989		
Q		Qualified rehabilitation expenditures related to rental real estate activities (attach Form 3468)	12b	
		Credits (other than credits shown on lines 12a and 12b) related to rental real estate activities	12c	
	d	Credits related to other rental activities	12d	
	13	Other credits	13	
ᇫᇴ		Interest expense on investment debts	14a	
e E E	b	(1) Investment income included on lines 4a, 4b, 4c, and 4f above STMT 1	146(1)	10,964.
invest- ment Interest		401 (	14b(2)	
충	15a	Name and the set of th	15a	
Self- Employ- ment	Ь	Gross farming or fishing income	15b	
	c	Gross nonfarm income	15c	
<b>7</b> a	16a	Depreciation adjustment on property placed in service after 1986	16a	
6 5		Adjusted gain or loss	16b	
are are		Depletion (other than oil and gas)	16a	
7.0 Te		143 Commissioner State of the s		***************************************
Z X	_	(2) Déductions allocable to oil, gas and geothermal properties	16d(1)	
Adjustments and Tax Preference Items	A	Other adjustments and tax preference items (attach schedule)		
	178	Type of income	16e	<u></u>
8		Name of foreign country or U.S. possession ▶		
_≋		Total gross income from sources outside the United States (attach schedule)	********	
<u></u>	C i		17c	
Foreign Taxes			17d	
Ē		Total foreign taxes (check one): ▶ Paid Accrued	17e	·····
-	Ť	Reduction in taxes available for credit (attach schedule)	17f	
	g	Other foreign tax information (attach schedule)	17g	
	18	Section 59(e)(2) expenditures: a Type ▶b Amount ▶	18ь	
	19	Tax-exempt interest income	19	
9	20	Other tax-exempt income	20	
Other		Nondeductible expenses	21	
_	<b>22</b>	Distributions of money (cash and marketable securities)	22	125,173.
1	23	Distributions of property other than money	23	
	24	Other items and amounts required to be reported separately to partners (attach schedule)		

Form	08-01789-cgm	Doc 1003	Filed 11/23/0		Entered of 34	11/23/09	15:			Document 38752 Page 4
	alysis of Net Inco			23 (	JL 3 <del>4</del>		·		<u> </u>	30/02 rage 4
	let income (loss). Combin		1 through 7 in column	(h) Fm	m the result	subtract the				
	um of Schedule K, lines 8							1	2	32,141.
2	Analysis by partner type:	(i) Corporate	(ii) Individual	(iii) In	dividual	(iv) Partner		(v) Exemp	t	(vi) Nominee/Other
9	General partners		(active)		ssive)			organizatio	n	
	Limited partners		<del>                                     </del>	233	2.141.	-				
		nce Sheets pe	r Books (Not requ	ired if	Question	5 on Sche	dule E	is answered	"Yes	<u>")</u>
			<b>.</b>		of tax year				of tax	
	Assets		(a)	<u></u>	<u> </u>	(b)		(c)	1	(d)
1	Cash									·
2a	Trade notes and accour	nts receivable								
b	Less allowance for bad	debts			]					
3	Inventories									
4	U.S. government obliga-	tions · · · · ·							<b></b>	
5	Tax-exempt securities								<b></b>	
6	Other current assets (at	tach schedule)				A4 # 4 # # A			<b></b>	· · · · · · · · · · · · · · · · · · ·
7	Mortgage and real estat	te Ioans							<b></b>	
8	Other investments (atta				1,2	<u> 18,762.</u>				1,205,903.
9a			<del></del>						_	
þ	•			<del></del>			- 1		-	
10a	*	• • • • • • • • •						-	-  ****	
	Less accumulated deple		60500000000000000000000000000000000000	S*************************************				•		
11	Land (net of any amortiz		***************************************							
	Intangible assets (amort		F				-		- *****	
	Less accumulated amor									<u> </u>
13	Other assets (attach sch	-	\$0000000000000000000000000000000000000		1 2	19 762				1 205 002
14	Total assets Liabilities and		* *		1,4	<u>18,762.</u>				<u>1,205,903.</u>
15		-				,				
16	Mortgages, notes, bonds pa	and in lace than 1 vo	**************************************						<b></b>	
17	Other current liabilities (		P-0001000000000000000000000000000000000		-				<b></b>	
18	All nonrecourse loans		• •						<b></b>	<del></del>
19	Mortgages, notes, bonds pa		· ·							
20	Other liabilities (attach s		£0000000000000000000000000000000000000							
21	Partners' capital account	•			1.2	18,762.			•	1,205,903.
	Total liabilities and capit					18.762.				1,205,903.
	edule M-1	onciliation of l	income (Loss) pe	er Boo	oks With	ı İncome (	Loss	per Retu	'n	
oci i	(Not	required if Ques	stion 5 on Schedul	e B is	answered	d "Yes." See	page	23 of the in	struct	ions.)
1	Net income (loss) per bo	oks	232.14	1, 6	Income rec	orded on book	s this ye	arnot included		
2	income included on Sche	edule K, lines 1			on Schedu	le K, lines 1 th	rough	7 (itemize):		
	through 4, 6, and 7, not	recorded on books		a	Tax-exemp	t interest \$ _				
	this year (itemize):			_						
	Guaranteed payments (or			7		s included on	!	-		
	insurance)					1, 14a, 17e, ai	,			
_	Expenses recorded on bo	• 1				ok income this				
	included on Schedule K,	lines 1 through		a	Depreciation	on \$				
	11, 14a, 17e, and 18b (i	temize):								
	Depreciation \$									
b	Travel and entertainment			8		Band 7				
_	Add the set 4 Above the		222 14	<del>,                                    </del>		ss) (Analysis o				222 444
	Add lines 1 through 4.		232,14			otract line 8 fro				232,141.
	edule M-2 Analy Balance at beginning of y	•	<u>s' Capital Accoul</u> 1 , 2 1 8 , 7 6 2			<u>if Question 5</u> ns: a Cash			vered	<u>"Yes.")</u> 248,462.
-	Capital contributed durin	·	3,462		Sisa isa 801			11. 2		240,402,
	Capital contributed durin Net income (loss) per boo	- · .	232,141		Other dem	eases (itemize	•	F		
_	Other increases (itemize)	F-	202:14	''	James Well	erana hraming	F			
7	- " (a) mondages from [50]	·		8	Add lines F	3 and 7				248,462.
5	Add lines 1 through 4		1,454,366			nd of year. Subt		F	1	,205,903.
			-,,	-1-			11115			<u>, ,</u>

SCHEDULE D (Form 1065) Capital Gains and Losses

OMB No. 1545-0099

1997

Department of the Treasury Internal Revenue Service ▶ Attach to Form 1065.

Name of partnership

LEVA . LLC 11-3338752

Part I Short-Term Capital Gains and Losses-Assets Held 1 Year or Less

Part I Short-Term C		2"2"					
	apital Gains an	<del></del>	4	r or Less			
(a) Description of property (e.g., 100 shares of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other b (see instructions		(f) Gain or (loss) for entire year. ((d) minus (e))	
1					-	((u) minus (e))	†
STOCKS & BONDS	- SEE ATTA	CHED SCHED	ULF				+
	01/01/97	12/31/97	15764425	1547911	g	285,306	1
PUTS & CALLS -	SEE ATTACH			10-7011	<u> </u>	200,000	1
	01/01/97	12/31/97	312,272	376,40	1	-64,129	7
			· · · · · · · · · · · · · · · · · · ·	7777	•	94, 120	ή
							1
				<del></del>			-
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					+		1
						•	1
							1
					$\dashv$		1
					-		4
				1			******************
Short-term capital gain (	from installment sal	os from Form 625	2 line 26 or 27	<u> </u>	-	···	
2 Short-term capital gain (	from installment sal	es from Form 625	2, line 26 or 37		2		
3 Short-term capital gain (	loss) from like-kind e	exchanges from Fo	rm 8824		2 3		
Short-term capital gain (     Short-term capital gain (     Partnership's share of ne	loss) from like-kind e et short-term capital	exchanges from Fo gain (loss), includi	rm 8824 ng specially alloca	ted short-term	3		
3 Short-term capital gain ( 4 Partnership's share of ne capital gains (losses), fro	loss) from like-kind e et short-term capital en other partnership	exchanges from Fo gain (loss), includi ss, estates, and trus	rm 8824 ng specially alloca sts	ted short-term			
<ul> <li>Short-term capital gain (</li> <li>Partnership's share of ne capital gains (losses), fro</li> <li>Net short-term capital</li> </ul>	loss) from like-kind e et short-term capital om other partnership gain or (loss). Com	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug	rm 8824 ng specially alloca sts gh 4 in column (f).	ted short-term	4	221 177	
<ul> <li>Short-term capital gain (</li> <li>Partnership's share of ne capital gains (losses), fro</li> <li>Net short-term capital Enter here and on Form</li> </ul>	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K,	exchanges from Fo gain (loss), includi s, estates, and tru bine lines 1 throug line 4d or 7	rm 8824 ng specially alloca sts gh 4 in column (f).	ted short-term	3	221,177.	
3 Short-term capital gain ( 4 Partnership's share of ne capital gains (losses), fro  5 Net short-term capital Enter here and on Form  2 Term Ca (a) Description of property	loss) from like-kind e at short-term capital om other partnership gein or (loss). Com 1065, Schedule K, pital Gains and	exchanges from Fo gain (loss), includi gain (loss), includi so, estates, and true bine lines 1 throug line 4d or 7 Losses—Asset	rm 8824 ng specially alloca sts gh 4 in column (f). s Held More T	ted short-term	4 5	<b>221</b> , 177.	
3 Short-term capital gain ( 4 Partnership's share of ne capital gains (losses), fro  5 Net short-term capital Enter here and on Form  art II Long-Term Ca  (a) Description of property (e.g., 100 shares	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K,	exchanges from Fo gain (loss), includi s, estates, and tru bine lines 1 throug line 4d or 7	rm 8824 ng specially alloca sts gh 4 in column (f).	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate gai
3 Short-term capital gain ( 4 Partnership's share of ne capital gains (losses), fro  5 Net short-term capital Enter here and on Form  (art II Long-Term Ca) (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss)	(g) 28% rate gain
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro  Net short-term capital Enter here and on Form  art II Long-Term Ca (a) Description of property (e.g., 100 shares of "2" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate gai
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro  Net short-term capital Enter here and on Form  art II Long-Term Ca (a) Description of property (e.g., 100 shares of "2" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate gai
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro Net short-term capital Enter here and on Form art II Long-Term Ca  (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate ga or (loss)
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro Net short-term capital Enter here and on Form art II Long-Term Ca  (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate ga or (loss)
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro  Net short-term capital Enter here and on Form  art II Long-Term Ca (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate ga or (loss)
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro  Net short-term capital Enter here and on Form  art II Long-Term Ca (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate ga or (loss)
Short-term capital gain ( Partnership's share of ne capital gains (losses), fro Net short-term capital Enter here and on Form art II Long-Term Ca  (a) Description of property (e.g., 100 shares of "Z" Co.)	loss) from like-kind e at short-term capital om other partnership gain or (loss). Com 1065, Schedule K, pital Gains and (b) Date acquired	exchanges from Fo gain (loss), includi ss, estates, and trus bine lines 1 throug line 4d or 7 Losses—Asset (c) Date sold	rm 8824 ng specially allocatests th 4 in column (f).  S Held More T (d) Sales price	ted short-term	3 4 5	(f) Gain or (loss) for entire year.	(g) 28% rate ga or (loss)
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*28% rate gain or (loss) includes all gains and losses in Part II, column (f) from sales, exchanges, or conversions (including installment payments received) either: • Before May 7, 1997, or

After July 28, 1997, for assets held more than 1 year but not more than 18 months.

It also includes ALL "collectibles gains and losses" (as defined in the instructions).

For Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule D (Form 1065) 1997

Net long-term capital gain or (loss). Combine lines 6 through 10 in column (f).

08-01789-cgm Doc 1003 Filed 11/23/09 Entered 11/23/09 1  LEVA, LLC Pg 25 of 34  FORM 1065 SUPPORTING SCHEE ES	5:43:57 Main Document 11-3338752
SCHEDULE K - LINE 4B - DIVIDEND INCOME	
BERNARD L. MADOFF	10,964.
TOTAL DIVIDEND INCOME	10,964.
SCHEDULE K - LINE 4D - NET SHORT-TERM CAPITAL GAIN/LOSS	
PORTFOLIO ACTIVITIES	221,177.
TOTAL NET SHORT-TERM CAPITAL GAIN/LOSS	221,177.
SCHEDULE K - LINE 14B(1) - INVESTMENT INCOME	
DIVIDEND INCOME	10,964.
TOTAL INVESTMENT INCOME, SCHEDULE K, LINE 12B(1)	10,964.

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SCHEDULE L - LINE 8 - OTHER INVESTMENTS	BEGINNING	ENDING
U.S. TREASURY BILLS	1,218,762.	1,205,903.
TOTAL OTHER INVESTMENTS	1,218,762.	1,205,903.
SCHEDULE M-2 - LINE 2 - CAPITAL CONTRIBUTED DURIN	G YEAR	
CAPITAL CONTRIBUTED DURING THE YEAR		3,462.
TOTAL CAPITAL CONTRIBUTED DURING THE YEAR	-	3,462.
SCHEDULE M-2 - LINE 6A - CASH DISTRIBUTIONS		
CASH DISTRIBUTIONS	-	248,462.
TOTAL CASH DISTRIBUTIONS	- -	248,462.
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Schedule K-1, ICn J - Analysis of Partners apital Accounts

Partner Number	A. Capital Account at Beginning of Year	B. Capital Contributed During Year	C. Partners' Shares of Sch. M-2, Lines 3, 4, and 7	D. Withdrawals and Distributions	E. Capital Account at End of Year
1	672,440.	3,462.	142,801. 39,667. 49,673.	125,000.	693,703, 227,414, 284,786,
2	187,747. 235,113.		39,567.		221,414.
3	235,113.		49,6/3.	122 462	204,100
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TALS	1,218,762.	3,462.	232,141.	248,462.	1,205,903